

Supreme Court of Wisconsin

Notice

This order is subject to further editing and modification. The final version will appear in the bound volume of the official reports.

No. 05-04

In the Matter of the Translation
of Court Forms

FILED

APR 19, 2005

Cornelia G. Clark
Clerk of Supreme Court
Madison, WI

On January 21, 2005, the Director of State Courts filed a petition seeking to amend Wis. Stat. § 758.18 and to create a new Supreme Court Rule 70.155 concerning the translation of court forms into languages other than English. A public hearing on the petition was conducted on April 13, 2005. At the ensuing open administrative conference the court voted unanimously to adopt the petition, effective the date of this order, as follows:

Section 1. 758.18 (3) of the statutes is created to read:

758.18 (3) The judicial conference may adopt translations of forms adopted under sub. (1) and (2). The judicial conference shall identify the forms to be translated and the languages to be used.

Section 2. SCR 70.155 is created to read:

SCR 70.155 Translation of court forms.

(1) The records management committee, working with the director of state courts office, shall identify court forms and instructions suitable for translation into a language other than English. Translated forms adopted by the judicial members of the records management committee, on behalf of the judicial conference, shall be treated as court forms adopted under s. 758.18, stats. and SCR 70.153.

(2) Translated forms shall use a format that incorporates both English and the second language. Every question or statement requiring a response, such as a check box or signature, will provide only one location in the English portion of the form to make that response. The answers to free-text questions must be written in English.

(3) Each translated form shall carry a notice, in both languages, that the translated form does not replace any of the following:

- (a) The need for an interpreter.
- (b) Any colloquies mandated by law.
- (c) The responsibility of court and counsel to ensure that persons with limited English proficiency fully comprehend their rights and obligations.

(4) Use of a translated form does not supersede the need for an interpreter for communicating with counsel, or for in-court proceedings pursuant to s. 885.38, stats. Interpreters may assist individuals in filling out forms to the extent permitted by SCR 63.07.

IT IS ORDERED that notice of this amendment of Wis. Stat. § 758.18 and creation of SCR 70.155 be given by a single publication of a copy of this order in the official state newspaper and in an official publication of the State Bar of Wisconsin.

Dated at Madison, Wisconsin, this 19th day of April, 2005.

BY THE COURT:

Cornelia G. Clark
Clerk of Supreme Court